

REMARKS

Claims 1-23 are pending in this Application. Applicant has amended claims 1, 10-12, 14, 20, and 21 to define the claimed invention more particularly. No new matter is added.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Applicant thanks the Examiner for indicating that claims 1-23 contain allowable subject matter. Applicant further thanks the Examiner for carefully considering this application. The Examiner has indicated that this application is in condition for allowance except for formal matters, and that prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213. Accordingly, all of the amendments herein are made to correct formal matters as suggested by the Examiner and no amendments touch the merits.

Claims 1-23 were objected to for informalities. The following changes were made to the claims, consistent with the Examiner's helpful suggestions.

In claim 1, "a method for measuring" has been changed to "a measurement method for measuring," "measure intensity distribution" has been changed to "measure an intensity distribution," and "on intensity distribution" has been changed to "on the intensity distribution."

In claims 10, 12, and 20, "the vessel" has been changed to "a vessel."

In claims 11 and 21, "of cylindrical hole" has been changed to "of the cylindrical hole."

In claim 14, "an apparatus for measuring" has been changed to "a measurement apparatus for measuring," "measuring intensity distribution" has been changed to "measuring an intensity distribution," and "on intensity distribution" has been changed to "on the intensity distribution."

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw these objections

Furthermore, Applicant notes that the following reason was given for the allowability of claim 1: *“As to claim 1, the prior art of record, taken alone or in combination, fails to disclose or render obvious in a measurement method for measuring non-circularity of a core part of an optical fiber base material having the core part and a clad part the particular measuring a width between two change points step and rotating step, in combination with the rest of the limitations of claims 1-13”* (Office Action at page 3, section 10).

Applicant respectfully submits that “...in combination with the rest of the limitations of claims 1-13” should read, “...in combination with the rest of the limitations of claim 1.”

Furthermore, the following reason was given for the allowability of claim 14: *“As to claim 14, the prior art of record, taken alone or in combination, fails to disclose or render obvious in a measurement apparatus for measuring non-circularity of a core part of an optical fiber base material having the core part and a clad part the particular means for measuring a width between two change points and means for rotating, in combination with the rest of the limitations of claims 14-23”* (Office Action at page 3, section 10).

Applicant respectfully submits that “...in combination with the rest of the limitations of claims 14-23” should read, “in combination with the rest of the limitations of claim 14.”

Moreover, Applicant would like to note that due to a clerical error, the Amendment dated March 10, 2009 erroneously stated, *“Please cancel claim 3 without prejudice or disclaimer...”* (see Amendment filed on March 10, 2009 on page 2).

Applicant thanks the Examiner for recognizing this error and submits that claim 3 still remains in the application.

Due to another clerical error, claim 17 was listed in the Amendment dated March 10, 2009 as follows:

17. (Original) The measurement apparatus of non-circularity of a core part of an optical fiber base material as claimed in any one of claims 14 to 16, further comprising means for vertically supporting the optical fiber base material.

However, that listing erroneously failed to take into account changes made by way of the Preliminary Amendment dated September 22, 2006.

Applicant notes that in the present Amendment, claim 17 is properly listed as “previously presented” and correctly depends only from claim 14. Applicant believes that no

amendments are necessary for this correction.

In view of the foregoing, Applicant submits that claims 1-23, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date: 08.03.09

Respectfully Submitted,

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